

House Bill 4930

A bill to amend 1933 PA 254, entitled
"The motor carrier act,"
by amending section 18 of article V (MCL 479.18), as amended by
1988 PA 355.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE V

1
2 Sec. 18. (1) The commission may, upon application of any
3 person or any motor carrier, or upon its own motion, and upon at
4 least 10 days' notice to the parties affected thereby, for good
5 cause, and after an opportunity to be heard, revoke, suspend,
6 alter, amend, or modify any of its findings or orders. However,
7 a certificate or permit shall only be amended, altered, modified,
8 revoked, OR suspended ~~—, or impaired—~~ after like notice and
9 opportunity to be heard and upon clear proof of good, just, and
10 sufficient cause. In addition, beginning January 1, 1989, a

1 person or motor carrier may also be subject to an assessment of
2 not to exceed \$500.00 for each violation of this act, a rule
3 promulgated or an order issued ~~pursuant to~~ UNDER this act, or a
4 term or condition of a certificate or permit.

5 (2) The commission may grant rehearings in all proceedings
6 before it upon petition filed within the time allowed by law to
7 bring proceedings for review. All orders entered pursuant to
8 this section shall be served and take effect as provided in this
9 act for original orders, and the time allowed by law to bring
10 proceedings to review any order of the commission shall continue
11 after the order denying the hearing or after the order made upon
12 a rehearing. The commission shall keep a docket of all causes
13 and proceedings under this act and upon request, upon payment of
14 a reasonable fee, shall furnish any interested party fair copies
15 of any application, answer, petition, motion, order, finding,
16 certificate, or permit on file with, or made or issued by it in
17 any proceeding.

18 (3) The assessments collected pursuant to this section shall
19 be deposited in the truck safety fund established in section 25
20 of ~~Act No. 51 of the Public Acts of 1951, being section 247.675~~
21 ~~of the Michigan Compiled Laws~~ 1951 PA 51, MCL 247.675.

22 (4) THIS CHAPTER SHALL BE APPLICABLE AND UNIFORM THROUGHOUT
23 THIS STATE AND IN ALL POLITICAL SUBDIVISIONS AND LOCAL UNITS OF
24 GOVERNMENT IN THIS STATE. A LOCAL UNIT OF GOVERNMENT SHALL NOT
25 ADOPT, ENACT, OR ENFORCE A LOCAL LAW THAT IS IN CONFLICT WITH
26 THIS ACT.

HB4930, As Passed House, October 28, 1999

H.B. 4930 as amended October 28, 1999

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1 (5) A LOCAL LAW OR A PORTION OF A LOCAL LAW THAT IMPOSES A
2 CRIMINAL PENALTY FOR AN ACT OR OMISSION THAT IS A CIVIL
3 INFRACTION UNDER THIS ACT, OR THAT IMPOSES A CRIMINAL PENALTY OR
4 CIVIL SANCTION IN EXCESS OF THAT PRESCRIBED IN THIS ACT, IS IN
5 CONFLICT WITH THIS ACT AND IS VOID TO THE EXTENT OF THE
6 CONFLICT.

7 (6) [EXCEPT FOR CIVIL INFRACTION ACTIONS IN A MUNICIPAL COURT,]
8 PROCEEDS OF A CIVIL FINE IMPOSED BY A LOCAL UNIT OF GOV-
9 ERNMENT FOR VIOLATION OF A LOCAL LAW REGULATING FOR-HIRE MOTOR
10 VEHICLES AND CORRESPONDING TO THIS ACT SHALL BE PAID TO THE
11 COUNTY TREASURER AND [SHALL BE ALLOCATED AS FOLLOWS:

12 (A) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY
13 FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS
14 ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS
15 FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.
16 (B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION
17 WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.
18 (C) THIRTY PERCENT TO THE COURT FUNDING UNIT IN WHICH THE
19 LOCAL UNIT OF GOVERNMENT IS LOCATED.]

20 (7) AS USED IN THIS SECTION, "LOCAL LAW" INCLUDES A LOCAL
21 CHARTER PROVISION, ORDINANCE, RULE, OR REGULATION.

22 Enacting section 1. This amendatory act does not take
23 effect unless all of the following bills of the 90th Legislature
24 are enacted into law:

25 (a) House Bill No. 4932.

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27 (b) House Bill No. 4928.

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29 (c) House Bill No. 4929.

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31 (d) House Bill No. 4931.

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1 (e) House Bill No. 4927.

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